

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 22-1226

In re: Star Tribune Media Company LLC; American Public Media Group, (owner and operator of Minnesota Public Radio); The Associated Press; Association of Minnesota Public Educational Radio Stations; CBS Broadcasting, Inc., (on behalf of WCCO-TV and CBS News); Cable News Network, Inc.; Court TV Media, LLC; Fox/UTV Holdings LLC, (which owns KMSP-TV); Gannett Satellite Information Network, LLC, (which publishes USA Today); Hubbard Broadcasting, Inc. (on behalf of its broadcast stations KSTP-TV, WDIO-DT, KAAL, KOB, WNYT, WHEC-TV and WTOP-FM); Media News Group, (which owns the Saint Paul Pioneer Press); Minnesota Coalition on Government Information; NBC Universal Media, LLC; National Public Radio, Inc.; The New York Times Company; Sahan Journal; Spokesman & Recorder Publishing Co.; Tegna, Inc., (owner and operator of KARE-TV); The Silha Center for the Study of Media Ethics and Law; WP Company, LLC, d/b/a The Washington Post

Petitioners

Appeal from U.S. District Court for the District of Minnesota
(0:21-cr-00108-PAM)

JUDGMENT

Before COLLOTON, GRUENDER and SHEPHERD, Circuit Judges.

Star Tribune Media Company and other members of the media have petitioned for a writ of mandamus directing the district court to unseal a transcript of a trial management conference held with counsel in chambers on January 21, 2022, in *United States v. Thao, et al.*, No. 21-cr-00108 (D. Minn.). The petition also seeks a writ vacating an order filed on January 24, 2022, that denied as moot a motion objecting to the in-chambers conference. A writ of mandamus is a “drastic and extraordinary remedy reserved for really extraordinary causes.” *Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380 (2004) (internal quotation omitted). A writ may issue only when (1) the petitioners have no other adequate means to attain the relief they desire, (2) the right to issuance of the writ is clear and indisputable, and (3) this court, in the exercise of its discretion, is satisfied that the writ is appropriate under the circumstances. *Id.* at 380-81. In light of the responses of the parties and the district court, including the district court’s explanation that “at the end of the

case the Court will determine whether any sealed transcript or evidentiary matter can be unsealed and will take appropriate action,” the petition for writ of mandamus is denied.

February 25, 2022

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans